

REMARKS

Applicants previously canceled Claims 5 and 53-86. The Office Action dated March 27, 2008 indicated that Claims 1-4, 6, 7, 9-21, 24, 26-35, 37-47, 50-52, 87-92, and 94-96 are allowable. Applicants have amended Claims 26, 32, 34, and 93 herein to further clarify the subject matter being claimed. Enabling support for the amendments can be found in the application as filed (*See, e.g.*, original claims), and therefore, no new subject matter was introduced by the claim amendments. Applicants also have canceled Claims 8, 22, 23, 25, 36, 48, and 49 herein in the interest of furthering the prosecution of this case. Reconsideration of the present application and allowance of Claim 93 are respectfully requested in view of the amendments made and the following remarks.

I. Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 8, 22, 23, 25, 36, 48, 49, and 93 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action asserted that the specification does not set forth how Applicants define the terms "receptor specific ligand," "tissue specific ligand," "therapeutic molecule," "high affinity ligand," and "diseased tissue." Applicants respectfully submit that the present amendments to the claims render this rejection moot.

Applicants respectfully disagree with the assertion that the disclosure does not set forth what Applicants intend the claims to encompass. Applicants submit that one of ordinary skill in the art would clearly understand what is encompassed by the cited terms. However, in the interest of furthering the prosecution in this case, Applicants have, without prejudice or disclaimer, canceled Claims 8, 22, 23, 25, 36, 48, and 49, and have amended Claim 93 to delete the objected to terms.

The present amendments to the claims render this rejection moot. Accordingly, Applicants respectfully request that this rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

II. Claim Rejection Under 35 U.S.C. § 112, Second Paragraph

The Office Action rejected Claim 36 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. The Office Action asserted that the claim is indefinite because it recites the term "high affinity ligand" and also an allegedly narrower term "peptide." Applicants respectfully submit that the present amendments to the claims render this rejection moot.


Although Applicants disagree with this rejection and believe that the claims particularly point out and distinctly claim the subject matter which Applicants regard as the invention, Applicants have canceled Claim 36 herein without prejudice or disclaimer in the interest of furthering the prosecution in this case.

Conclusion

Applicants believe that the present application, as amended, is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The foregoing is submitted as a full and complete response to the Final Office Action mailed March 27, 2008.

No fees are believed to be due at this time. However, the Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account 19-5029 (Ref. No.: 17625-0058). In addition, if there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited and encouraged to call the undersigned attorney at (404) 853-8000.

Respectfully submitted,

By: 
Kathryn H. Wade, Ph.D.
Reg. No. 54,682
Attorney for Applicant

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SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, Georgia 30309-3996
(404) 853-8000
SAB Docket: 17625-0058